

R590. Insurance, Administration.

R590-257. Standardized Health Benefit Plan Information Card.

R590-257-1. Authority.

(1) This rule is promulgated pursuant to Section 31A-22-636 which authorizes the commissioner to adopt standardized electronic interchange technology.

R590-257-2. Purpose and Scope.

(1) The purpose of this rule is to adopt standards for a health benefit plan information card.

(2) This rule applies to:

(a) an accident and health insurer;

(b) a health maintenance organizations governed by Chapter 8, Health Maintenance Organizations and Limited Health Benefit Plans;

(c) a third party administrator; and

(d) notwithstanding Subsection 31A-1-103(3)(f) and Section 31A-22-600, a health, medical, or conversion policy offered under Title 49, Chapter 20, Public Employees' Benefit and Insurance Program Act.

R590-257-3. Health Benefit Plan Information Card.

(1) Within 30 days, an entity described in R590-257-2(2) shall issue to an enrollee a health benefit plan information card upon the purchase or renewal of, or enrollment in, a health benefit plan.

(2) The health benefit plan information card must include:

(a) the required information described in Subsection 31A-22-636(3); and

(b) comply with Utah Health Information Network Standard number 6, Health Identification Card, version 1.1, hereby incorporated by reference and available on the department's website, www.insurance.utah.gov.

R590-257-4. Enforcement Date.

The commissioner will begin enforcing this rule July 1, 2010.

R590-257-5. Penalties.

A person found to be in violation of this rule shall be subject to penalties as provided under 31A-2-308.

R590-257-6. Severability.

If any provision of this rule or its application to any person or situation is held to be invalid, that invalidity shall not affect any other provision or application of this rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable.

KEY: health benefit plan card

2010

31A-22-636

NOTICE OF PROPOSED NEW RULE

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

- Agency: Insurance - Administration
Room no.: 3110
Building: STATE OFFICE BLDG
Street address 1: 450 N MAIN ST
Street address 2:
City, state, zip: SALT LAKE CITY UT 84114-1201
Mailing address 1: PO BOX 146901
Mailing address 2:
City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Jilene Whitby	801-538-3803	801-538-3829	jwhitby@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no:	33525	Date filed: 03/31/2010 02:44 PM
State Admin Rule Filing Key:	149596	
Utah Admin. Code ref. (R no.):	R 590 - 257 -	

Title

- Title of rule or section (catchline):
Standardized Health Benefit Plan Information Card.

Notice Type

- Type of notice: New Rule

Rule Purpose

- Purpose of the rule or reason for the change:
The purpose of this rule is to adopt standards for a health benefit plan information card. This rule is the result of HB 188, Health System Reform - Insurance Market, passed in 2009 and developed by the Health System Reform Task Force.

Response Information

- This change is a response to comments by the Administrative Rules Review Committee.
No

Rule Summary

- Summary of the rule or change:

The rule adopts a uniform standardized health benefit plan information card. Health insurers, third party

administrators and Public Employees Health Plan (PEHP) will be required to adopt and distribute the new cards to their new insureds and current insureds at renewal.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

The department will not be affected financially by these changes. Public Employees Health Plan (PEHP) will be required to make changes to their health benefit plan card and distribute to new insureds and current insureds at renewal.

B) Local government:

Affected: No

This rule will have no effect on local government since it deals solely with the relationship between the department and its licensees.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

The cost to insurers to produce the health benefit plan cards will filter down to the insureds, of which will be small and large businesses as well as individuals. This cost will be minor.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

The cost to insurers to produce the health benefit plan cards will filter down to the insureds, of which will be small and large businesses as well as individuals. This cost will be minor.

Compliance Cost Information

8. Compliance costs for affected persons:

Minimal costs associated with insurers making changes to and reprinting health benefit plan cards and sending them to insureds at issue and renewal will filter down to their insureds, which will include small and large businesses and individual consumers.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

Minimal costs associated with insurers making changes to and reprinting health benefit plan cards and sending them to insureds at renewal will filter down to insureds which will include small and large businesses and individual consumers.

B) Name and title of department head commenting on the fiscal impacts:

Neal T. Gooch, Acting Insurance Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :
31A-22-636

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

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Official Title of Materials Incorporated (from title page): UHIN Standard #6 Health Identification Card Version 1.1
 Publisher: Utah Health Information Network
 Date Issued: 10/25/2006
 Issue, or version:
 ISBN Number:
 ISSN Number:
 Cost of Incorporated Reference:
 Adds, updates, removes: Adds

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

05/17/2010

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

05/10/2010

02:00 PM

Room B110, State office Building, 450 North Main, Salt Lake City,
 UT 84114

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

05/24/2010

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
- health
 - benefit
 - plan
 - card

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Jilene Whitby Information
 Specialist

Date (mm/dd/yyyy): 03/31/2010